

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MICHAEL OKO, ) CASE NO.:  
 )  
 Plaintiff, ) JUDGE:  
 )  
 v. ) **NOTICE OF REMOVAL**  
 ) **FILED BY RESPONDENT**  
CLEVELAND DIVISION OF ) **CITY OF CLEVELAND**  
POLICE, )  
 )  
 Defendant. )

TO THE JUDGES OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Non-*sui juris* Defendant Cleveland Division of Police respectfully submits this Petition for Removal of this action to the United States District Court for the Northern District of Ohio, Eastern Division.

1. On or about August 2, 2018, Plaintiff filed a civil action in the Cuyahoga County Court of Common Pleas, Case No. CV-18-901604, titled “*Michael Oko v. Cleveland Division of Police*,” demanding judgment against the Cleveland Division of Police. Plaintiff’s claims include the assertion that Defendant violated Plaintiff’s Constitutional rights to ownership and protection against deprivation of ownership under the United States Constitution (Complaint at ¶ 8, and ¶ 11). Plaintiff requests monetary compensation, replevin, and injunctive relief.

2. Title 28 U.S.C. §§ 1343(a)(3) and 1331 provide this Court with original jurisdiction over Plaintiff’s claims brought under the United States Constitution. Supplemental jurisdiction over the remaining state law claims is authorized under 28 U.S.C. § 1337. Because this Court has

original jurisdiction over claims raised in the Complaint, removal is appropriate under 28 U.S.C. § 1441(a) and (b).

3. Defendant Cleveland Division of Police received a copy of the Complaint on or about October 29, 2018.

4. Removal is being timely accomplished within the thirty (30) day time period allowed by law. The entirety of the pleadings to date consists of the Complaint and the Summons for of the Defendant Cleveland Division of Police. (Attached).

5. A copy of Defendant Cleveland Division of Police's Petition for Removal and a Notice of Removal will be filed with the Clerk of the Court of Common Pleas of Cuyahoga County Ohio as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Cleveland Division of Police prays that this case, presently pending in the Court of Common Pleas, Cuyahoga County, Ohio, be removed to this Court and proceed according to law.

Respectfully submitted,

**BARBARA LANGHENRY (0038838)**  
Director of Law, City of Cleveland

s/ Brandon E. Brown  
BRANDON E. BROWN (0097013)  
MICHAEL J. PIKE (0074063)  
Assistant Directors of Law  
City of Cleveland, Department of Law  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114  
Tel: (216) 664-2800  
Fax: (216) 664-2663  
BBrown@city.cleveland.oh.us  
MPike@city.cleveland.oh.us

*Counsel for Defendant Cleveland Division of Police*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was filed electronically on November 16, 2018. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

A copy of this Removal Petition was also sent by regular mail, postage prepaid, on November 16, 2018, to the following:

Michael Oko  
675 East 160<sup>th</sup> Street  
Cleveland, OH 44110  
*Plaintiff*

s/ Brandon E. Brown  
BRANDON E. BROWN (0097013)